

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

Rockhurst University, Plaintiff,)
vs.) Case No. 03-1137-CV-W- FJG
Charles A. Cacioppo, Jr., et al., Defendants.)

CONSENT JUDGMENT

The Joint Motion for Entry of Consent Judgment by plaintiff Rockhurst University and defendants Charles A. Cacioppo Jr. and Ralph Dunn (Doc. #42), filed February 9, 2005, is sustained. Judgment is entered as follows:

1. Judgment is entered against defendant Charles A. Cacioppo Jr. (Cacioppo) and in favor of plaintiff Rockhurst University (Rockhurst) on Rockhurst's complaint and damages are ordered in the amount of fifty thousand dollars (\$50,000.00) due and payable to plaintiff Rockhurst.

2. Defendant Cacioppo and plaintiff Rockhurst understand and agree that damages ordered herein are separate, apart, in addition to and not to be offset against any restitution ordered to be paid or paid as described at the sentencing proceedings of December 1, 2004, in the case captioned United States v. Charles A. Cacioppo, Jr., et al., Case No. 03-00360-01/05-CR-W-HFS in the United States District Court for the Western District of Missouri.

3. Judgment is entered against defendant Ralph E. Dunn (Dunn) and in favor of plaintiff Rockhurst on Rockhurst's complaint and damages are ordered in the amount of fifty thousand dollars (\$50,000.00) due and payable by defendant Dunn to plaintiff Rockhurst.

4. Defendant Dunn and plaintiff Rockhurst understand and agree that damages ordered herein are separate, apart, in addition to and not to be offset against:

a. any restitution ordered to be paid or paid as described at the sentencing proceedings of November 30, 2004, or otherwise paid by defendant Dunn in the case captioned United States v. Ralph E. Dunn, Case No. 03-00314-CR-W-4; or

b. any damage or restitution ordered to be paid or paid as described at

the sentencing proceedings of November 30, 2004, and relating to a certain case captioned United States v. Marvin Rogers, Case No. 02-0252-01-CR-W, whether such damage or restitution is joint and several.

5. Each party to bear his own cost and expense.
6. The Court retains jurisdiction over the terms of this Consent Judgment.

IT IS SO ORDERED.

/s/Fernando J. Gaitan, Jr.

Fernando J. Gaitan, Jr.
United States District judge

Dated: February 14, 2005
Kansas City, Missouri